

109TH CONGRESS
2D SESSION

S. RES. 525

To amend the Standing Rules of the Senate to provide greater transparency
in the legislative process.

IN THE SENATE OF THE UNITED STATES

JUNE 29, 2006

Mr. FEINGOLD (for himself and Mr. OBAMA) submitted the following
resolution; which was referred to the Committee on Rules and Administration

RESOLUTION

To amend the Standing Rules of the Senate to provide
greater transparency in the legislative process.

1 *Resolved,*

2 **SECTION. 1. SHORT TITLE.**

3 This resolution may be cited as the “Senate Legisla-
4 tive Transparency and Accountability Resolution of
5 2006”.

1 **SEC. 2. ELIMINATION OF FLOOR PRIVILEGES FOR FORMER**
 2 **MEMBERS, SENATE OFFICERS, AND SPEAK-**
 3 **ERS OF THE HOUSE WHO ARE LOBBYISTS OR**
 4 **SEEK FINANCIAL GAIN.**

5 Rule XXIII of the Standing Rules of the Senate is
 6 amended by—

7 (1) inserting “1.” before “Other”;

8 (2) inserting after “Ex-Senators and Senators
 9 elect” the following: “, except as provided in para-
 10 graph 2”;

11 (3) inserting after “Ex-Secretaries and ex-Ser-
 12 geants at Arms of the Senate” the following: “, ex-
 13 cept as provided in paragraph 2”;

14 (4) inserting after “Ex-Speakers of the House
 15 of Representatives” the following: “, except as pro-
 16 vided in paragraph 2”; and

17 (5) adding at the end the following:

18 “2. (a) The floor privilege provided in paragraph 1
 19 shall not apply to an individual covered by this paragraph
 20 who is—

21 “(1) a registered lobbyist or agent of a foreign
 22 principal; or

23 “(2) is in the employ of or represents any party
 24 or organization for the purpose of influencing, di-
 25 rectly, or indirectly, the passage, defeat, or amend-
 26 ment of any legislative proposal.

1 “(b) The Committee on Rules and Administration
 2 may promulgate regulations to allow individuals covered
 3 by this paragraph floor privileges for ceremonial functions
 4 and events designated by the Majority Leader and the Mi-
 5 nority Leader.”.

6 **SEC. 3. BAN ON GIFTS FROM LOBBYISTS.**

7 Paragraph 1(a)(2) of rule XXXV of the Standing
 8 Rules of the Senate is amended by—

9 (1) inserting “(A)” after “(2)”; and

10 (2) adding at the end the following:

11 “(B) This clause shall not apply to a gift from
 12 a registered lobbyist or an agent of a foreign prin-
 13 cipal.”.

14 **SEC. 4. TRAVEL RESTRICTIONS AND DISCLOSURE.**

15 (a) IN GENERAL.—Paragraph 2 of rule XXXV of the
 16 Standing Rules of the Senate is amended by adding at
 17 the end the following:

18 “(f)(1) Before a Member, officer, or employee may
 19 accept transportation or lodging otherwise permissible
 20 under this paragraph from any person, other than a gov-
 21 ernmental entity, such Member, officer, or employee
 22 shall—

23 “(A) obtain a written certification from such
 24 person (and provide a copy of such certification to
 25 the Select Committee on Ethics) that—

1 “(i) the trip was not financed in whole, or
2 in part, by a registered lobbyist or foreign
3 agent;

4 “(ii) the person did not accept, directly or
5 indirectly, funds from a registered lobbyist or
6 foreign agent specifically earmarked for the
7 purpose of financing the travel expenses;

8 “(iii) the trip was not planned, orga-
9 nized, or arranged by or at the request of
10 a registered lobbyist or foreign agent; and

11 “(iv) registered lobbyists will not par-
12 ticipate in or attend the trip;

13 “(B) provide the Select Committee on Ethics
14 (in the case of an employee, from the supervising
15 Member or officer), in writing—

16 “(i) a detailed itinerary of the trip; and

17 “(ii) a determination that the trip—

18 “(I) is primarily educational (either
19 for the invited person or for the organiza-
20 tion sponsoring the trip);

21 “(II) is consistent with the official du-
22 ties of the Member, officer, or employee;

23 “(III) does not create an appearance
24 of use of public office for private gain; and

1 “(iii) has a minimal or no recreational
2 component; and

3 “(C) obtain written approval of the trip from
4 the Select Committee on Ethics.

5 “(2) Not later than 30 days after completion of trav-
6 el, approved under this subparagraph, the Member, offi-
7 cer, or employee shall file with the Select Committee on
8 Ethics and the Secretary of the Senate a description of
9 meetings and events attended during such travel and the
10 names of any registered lobbyist who accompanied the
11 Member, officer, or employee during the travel, except
12 when disclosure of such information is deemed by the
13 Member or supervisor under whose direct supervision the
14 employee is employed to jeopardize the safety of an indi-
15 vidual or adversely affect national security. Such informa-
16 tion shall also be posted on the Member’s official website
17 not later than 30 days after the completion of the travel,
18 except when disclosure of such information is deemed by
19 the Member to jeopardize the safety of an individual or
20 adversely affect national security.”.

21 (b) DISCLOSURE OF NONCOMMERCIAL AIR TRAV-
22 EL.—Paragraph 2 of rule XXXV of the Standing Rules
23 of the Senate, as amended by subsection (a), is amended
24 by adding at the end the following:

1 “(g) A Member, officer, or employee of the Senate
2 shall—

3 “(1) disclose a flight on an aircraft that is not
4 licensed by the Federal Aviation Administration to
5 operate for compensation or hire, excluding a flight
6 on an aircraft owned, operated, or leased by a gov-
7 ernmental entity, taken in connection with the duties
8 of the Member, officer, or employee as an office-
9 holder or Senate officer or employee; and

10 “(2) with respect to the flight, file a report with
11 the Secretary of the Senate, including the date, des-
12 tination, and owner or lessee of the aircraft, the pur-
13 pose of the trip, and the persons on the trip, except
14 for any person flying the aircraft.”.

15 (c) PUBLIC AVAILABILITY.—Paragraph 2(e) of rule
16 XXXV of the Standing Rules of the Senate is amended
17 to read as follows:

18 “(e) The Secretary of the Senate shall make available
19 to the public all disclosures filed pursuant to subpara-
20 graphs (f) and (g) as soon as possible after they are re-
21 ceived and such matters shall be posted on the Member’s
22 official website but no later than 30 days after the trip
23 or flight.”.

1 **SEC. 5. POST EMPLOYMENT RESTRICTIONS.**

2 (a) IN GENERAL.—Paragraph 9 of rule XXXVII of
3 the Standing Rules of the Senate is amended by—

4 (1) designating the first sentence as subpara-
5 graph (a);

6 (2) designating the second sentence as subpara-
7 graph (b); and

8 (3) adding at the end the following:

9 “(c) If an employee on the staff of a Member or on
10 the staff of a committee whose rate of pay is equal to or
11 greater than 75 percent of the rate of pay of a Member
12 and employed at such rate for more than 60 days in a
13 calendar year, upon leaving that position, becomes a reg-
14 istered lobbyist under the Lobbying Disclosure Act of
15 1995, or is employed or retained by such a registered lob-
16 byist for the purpose of influencing legislation, such em-
17 ployee may not lobby any Member, officer, or employee
18 of the Senate for a period of 1 year after leaving that
19 position.”.

20 (b) EFFECTIVE DATE.—This section shall take effect
21 60 days after the date of adoption of this resolution.

22 **SEC. 6. PUBLIC DISCLOSURE BY MEMBERS OF CONGRESS**
23 **OF EMPLOYMENT NEGOTIATIONS.**

24 Rule XXXVII of the Standing Rules of the Senate
25 is amended by adding at the end the following:

1 “14. A Member shall not directly negotiate or have
 2 any arrangement concerning prospective private employ-
 3 ment until after the election for his or her successor has
 4 been held, unless such Member files a statement with the
 5 Secretary of the Senate, for public disclosure, regarding
 6 such negotiations or arrangements within 3 business days
 7 after the commencement of such negotiation or arrange-
 8 ment, including the name of the private entity or entities
 9 involved in such negotiations or arrangements, the date
 10 such negotiations or arrangements commenced, and must
 11 be signed by the Member.”.

12 **SEC. 7. PROHIBIT OFFICIAL CONTACT WITH SPOUSE OR IM-**
 13 **MEDIATE FAMILY MEMBER OF MEMBER WHO**
 14 **IS A REGISTERED LOBBYIST.**

15 Rule XXXVII of the Standing Rules of the Senate
 16 is amended by—

17 (1) redesignating paragraphs 10 through 12 as
 18 paragraphs 11 through 13, respectively; and

19 (2) inserting after paragraph 9, the following:

20 “10. (a) If a Member’s spouse or immediate family
 21 member is a registered lobbyist under the Lobbying Dis-
 22 closure Act of 1995, or is employed or retained by such
 23 a registered lobbyist for the purpose of influencing legisla-
 24 tion, the Member shall prohibit all staff employed by that
 25 Member (including staff in personal, committee and lead-

1 ership offices) from having any official contact with the
 2 Member's spouse or immediate family member.

3 “(b) In this paragraph, the term ‘immediate family
 4 member’ means the son, daughter, stepson, stepdaughter,
 5 son-in-law, daughter-in-law, mother, father, stepmother,
 6 stepfather, mother-in-law, father-in-law, brother, sister,
 7 stepbrother, or stepsister of the Member.”.

8 **SEC. 8. INFLUENCING HIRING DECISIONS.**

9 Rule XLIII of the Standing Rules of the Senate is
 10 amended by adding at the end the following:

11 “6. No Member shall, with the intent to influence on
 12 the basis of partisan political affiliation an employment
 13 decision or employment practice of any private entity—

14 “(1) take or withhold, or offer or threaten to
 15 take or withhold, an official act; or

16 “(2) influence, or offer or threaten to influence
 17 the official act of another.”.

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